

Amendment in Response to Non-Final Office Action

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: November 4, 2008

Electronic Signature for Susan Pagano: /Susan Pagano/

Docket No.: H28240
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David Spurdut et al.

Application No.: 10/825,088

Confirmation No.: 7165

Filed: April 15, 2004

Art Unit: 3687

For: Proximity Transaction Apparatus and
Methods of Use Thereof

Examiner: Gart, Matthew S.

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTRODUCTORY COMMENTS

In response to the Office Action dated August 6, 2008, please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.